

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHARLENE CARTER,

Plaintiff,

V.

**TRANSPORT WORKERS UNION
OF AMERICA LOCAL 556 and
SOUTHWEST AIRLINES CO.,**

Defendants.

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Civil Action No. 3:17-CV-02278-X

**DEFENDANT TWU LOCAL 556'S OBJECTIONS TO
DEPOSITION DESIGNATIONS OF BRIAN TALBURT**

Defendant TWU Local 556 objects to the deposition of Brian Talburt in its entirety as well as portions taking place after the anticipated one-hour time limit. The Union objects that the entire basis for presenting Mr. Talburt should be precluded under Rule 403 as the testimony is unfairly prejudicial and intended to confuse the jury by creating an association between a rank and file Union member, who has no agency, and the Union.

Defendant TWU Local 556 further objects to all testimony taken after page 73, line 19, one hour and nineteen minutes into the deposition. Defendant asserted the following objection at that point in the deposition:

“MR. GREENFIELD: Okay. Then at this time, the TWU Local 556, we object to the continuance of this deposition and move to strike any additional te -- testimony. It is now 5:32 on the Sunday night before the 4th of July. The plaintiff has known of their belief that Mr. Talburt was a -- was relevant to this case since March 29th, 2019, when he was listed as a potential witness in their initial disclosures. Plaintiff had well over two years to dep -- depose Mr. Talburt, but failed to do so until long after the

close of discovery on July 5th, 2021. The court limited depositions of Southwest witnesses to one hour. We believe the court intended to or should have limited this deposition to the same one-hour time period.”

The Union reasserted this objection at page 125, line 21—page 126, line 8, as follows:

“MR. GREENFIELD: I don't want to break up your flow, but you seemed like you were at a pause for a moment.

MR. PRYOR: I am.

MR. GREEFIELD: Ed, Ed Cloutman is going to step in for me for a second. Due to family medical reasons, I need to step away and help my wife with bedtime with my children, so I apologize. I will be back as soon as I can, but Ed will take over in the meantime. At this time I would like to also renew my objection and, and move to strike any testimony at this point. But please go ahead.

MR. CLOUTMAN: I'm here. Go ahead.

Dated: July 5, 2022

Respectfully submitted,

/s/ Edward B. Cloutman, III

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ATTORNEYS FOR DEFENDANT TWU LOCAL 556

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been filed via the Court's ECF system and all counsel of record have been served on this 5th day of July, 2022.

/s/ Adam S. Greenfield

Adam S. Greenfield